ATTORNEY DOCKET №:

PTG 02-103-8

EXPRESS MAIL LABEL №:

EV 303 409 251 US

# NONPROVISIONAL PATENT APPLICATION TRANSMITTAL LETTER

MAIL STOP PATENT APPLICATION COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing is the patent application of:

**INVENTORS:** 

John M. Beville

Patrick G. Barry

48 Vista View Cove

20 Morning Dew Cove Jackson, TN 38305

Jackson, TN 38305 Citizen of United States

Citizen of United States

Title: NAIL CHECKER ASSEMBLY

#### **CERTIFICATION UNDER 37 C.F.R. §1.10**

I hereby certify that this Nonprovisional Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, September 17, 2003 in an envelope as "Express Mail Post Office to Addressee", Mailing Label Nº EV 303 409 251 US, with sufficient postage, addressed to: MS Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Penny I. Flynt

Penny L. Flunt

DATED: September 17, 2003

# 1. Type of Application

This is a Nonprovisional Application.

#### 2. Benefit of Prior U.S. Application(s) (35 U.S.C. § 119(e))

<u>USSN</u>	Filing Date	Inventor(s)	<u>Status</u>	
60/411,563	09/18/02	Phillips, et al.	Pending	
60/471,641	05/19/03	Schnell, et al.	Pending	

# 3. Papers Enclosed That Are Required for Filing Date under 37 C.F.R. §1.53(b) (Regular) or 37 C.F.R. §1.153 (Design) Application

Seventeen (17) Pages of Specification;

Nine (9) Pages of Claims;

One (1) Page of Abstract; and

Eight (8) Sheets of Drawing Figures.

## 4. Additional Papers Enclosed

Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) is attached.

#### 5. Declaration or Oath

Signed Declaration and Power of Attorney is attached.

#### 6. Inventorship Statement

The inventorship for all the claims in this application are the same.

## 7. Language

English.

### 8. Assignment

Signed Assignment and Recordation Form Cover Sheet are attached.

#### 9. Certified Copy

None are required.

#### 10. Fee Calculation (37 C.F.R. §1.16)

#### **BASIC FEE**

TOTAL FILING FEES						_\$1,408.00_
ASSIGNMENT RECORDATION FEE					\$40.00	\$40.00 _
MULTIPLE DEPENDENT					\$280.00	\$0.00
INDEPENDENT OVER THREE	5	-3	0	0	\$84.00	\$168.00
TOTAL OVER TWENTY	45	-20	0	25	\$18.00	\$450.00
EXCESS CLAIM FEE						
Standard Fee	\$750.0	\$750.00				

- 11. Small Entity Status-Applicant does not request small entity status under 37 C.F.R. § 1.27.
- 12. Request for International Type Search (37 C.F.R. §1.104(d))

  None required.
- 13. Authorization to Charge Fees

The Commissioner is hereby authorized to charge the filing fees of \$1,408.00 to Deposit Account N° 19-4882. Please charge any underpayments related to this filing or credit any excess to Deposit Account N° 19-4882. A copy of this *Transmittal* is enclosed for accounting purposes only.

Please direct all correspondence and telephone calls to:

CUSTOMER No. 23531

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DATED: September 17, 2003.

Respectfully submitted,

John M. Beville et al.,

Porter-Cable Corporation,

R. Christopher Rueppell

Reg. Nº 47,045

This Transmittal Ends With This Page.

Attorney Docket №: PTG 02-103-8

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : John M. Beville, et al. Express Mail Nº : EV 303 409 251 US Filed : September 17, 2003

For : NAIL CHECKER ASSEMBLY

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Dated: September 17, 2003

R. Christopher Rueppell

Reg. Nº 47,045

**CUSTOMER No. 23531** 

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**